

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS AND ECONOMIC DEVELOPMENT

AUGUST 1995

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*\*Denotes Chair*



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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-618) requires an advanced practice registered nurse to provide notice to the advanced practice registered nurse's patients that the advanced practice registered nurse is not practicing under the supervision of a physician. The amendment also imposes a penalty of \$100 if the advanced practice registered nurse fails to provide the notice. (Not adopted)

HOUSE AMENDMENT "B" TO COMMITTEE AMENDMENT "A" (H-619) incorporates all of Senate Amendment "A" to Committee Amendment "A", which has a filing number of S-304, except it changes the amount of time a certified nurse practitioner must practice under the supervision of a licensed physician or must be employed by a clinic or hospital that has a medical director who is a licensed physician from 24 months to 36 months. The amendment also requires that an advanced practice registered nurse must have completed a formal master's level education program. (Not adopted)

HOUSE AMENDMENT "C" TO COMMITTEE AMENDMENT "A" (H-620) states that a nurse anesthetist may perform medical diagnosis or administer therapeutic or corrective measures only when those services are delegated by a physician. (Not adopted)

HOUSE AMENDMENT "D" TO COMMITTEE AMENDMENT "A" (H-622) is the same in content as Amendment C. (Not adopted)

**LD 951      An Act to Include the Emergency Medical Services' Board  
in the List of Boards Reviewing Criminal Convictions Before  
Licensing**

PUBLIC 162

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PARADIS	OTP            MAJ	
	ONTP           MIN	

**SUMMARY**

This bill adds the Emergency Medical Services' Board to those licensing boards that may consider criminal history information for convictions when incarcerations of less than one year are imposed and when those convictions involve sexual misconduct by an applicant or licensee and sets a 10-year limit for the board to consider prior criminal convictions.

**LD 957      An Act to Require Licensure for Use of the Title  
Athletic Trainer**

PUBLIC 275

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KNEELAND	OTP-AM	H-282
		H-392    ROWE

**SUMMARY**

This bill requires that a person be licensed in order to use the title "athletic trainer" but no license is required to practice athletic training as long as the title is not used.

To qualify for a license a person must be a college graduate who has completed the college's curriculum in athletic training, has completed a program approved by the National Athletic Trainers' Association and has passed that association's Board of Certification examination or be currently certified by that board.

The regulation of the profession is by the Department of Professional and Financial Regulation, not by a regulatory board. The department is required to appoint an advisory council.

The annual licensing fee is determined by the department but is not to exceed \$100.

**16 Business and Economic Development**

COMMITTEE AMENDMENT "A" (H-282) eliminates the requirement that the department consult with the advisory council on the matter of licensing fees.

As a condition of license renewal, the bill requires current National Athletic Trainers Association certification. This amendment states that the purposes of this requirement is fulfillment of the continuing education requirement for license renewal.

HOUSE AMENDMENT "B" TO COMMITTEE AMENDMENT "A" (H-392) requires the Commissioner of Professional and Financial Regulation to prepare a budget relating to the licensure of athletic trainers. It also requires that fees and revenues received from the licensure of athletic trainers be placed in an athletic trainers account within the budget of the Division of Licensing and Enforcement.

**LD 1029**      **Resolve, to Establish Work Opportunity Regions in the State**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
DONNELLY	ONTP	

**SUMMARY**

From 1987-1993 Maine had a Job Opportunity Zones Act. This resulted in a Job Opportunity Zone Program that was concluded in 1990. There is also ongoing authorization for municipal development districts. Lastly, the Economic Development and Business Assistance Coordinating Council is required to identify regions for the purpose of developing regional strategies and creating a regionally based delivery system.

This resolve directs the Department of Economic and Community Development to develop a plan that establishes work opportunity regions in the State and that includes a package of tax incentives to benefit targeted work opportunity regions in order to enable the Department to best focus its resources. The plan and legislation to implement it must be submitted to the Legislature by January 1, 1996.

**LD 1044**      **An Act to License Home Contractors and Builders**      ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TYLER	ONTP	

**SUMMARY**

Maine currently has a law requiring a contract for home construction and regulating transient sellers of home repair services.

This bill establishes the Board of Building Contractors to oversee the licensing of persons wishing to submit a bid to construct a building as prime contractor. Despite the title, it refers to any building, not just homes. The board shall make available educational materials for contractors and consumers, including a bill of rights, procedures for dealing with contractors and a listing of licensed contractors that includes appropriate information from the contractors' application forms.

There are 3 levels of contractor license, Class A, Class B and Class C, authorizing graduated levels of authorized construction activities.

A license may be suspended or revoked for 8 specific reasons.

See also LD 480.